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Attorneys for Defendants AEROFLEX INCORPORATED, AMI
 SEMICONDUCTOR, INC., MATROX ELECTRONIC
 SYSTEMS, LTD., MATROX GRAPHICS INC., MATROX
 INTERNATIONAL CORP. and MATROX TECH, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

RICOH COMPANY, LTD.,

Plaintiffs,

v.

AEROFLEX INCORPORATED, AMI
 SEMICONDUCTOR, INC., MATROX
 ELECTRONIC SYSTEMS, LTD., MATROX
 GRAPHICS, INC., MATROX
 INTERNATIONAL CORP., and MATROX
 TECH, INC.,

Defendants.

) Case No. CV 03-04669 MJJ (EMC)
)
) **DECLARATION OF THOMAS C.**
) **MAVRAKAKIS IN SUPPORT OF**
) **DEFENDANTS' REPLY BRIEF IN**
) **SUPPORT OF ITS MOTION TO STRIKE**
) **RICOH'S DISCLOSURE OF ASSERTED**
) **CLAIMS AND PRELIMINARY**
) **INFRINGEMENT CONTENTIONS**
)
) **Date: May 4, 2004**
) **Time: 9:30 a.m.**
) **Courtroom: 11**
)
) **Judge Jenkins**

1 I, Thomas C. Mavrakakis, hereby declare as follows:

2 1. I am an attorney of law licensed to practice in the State of California and a partner of
3 the law firm of Howrey Simon Arnold & White, LLP, attorneys for Defendants Aeroflex Incorporated,
4 AMI Semiconductor, Inc., Matrox Electronic Systems, Ltd., Matrox Graphics Inc., Matrox
5 International Corp. and Matrox Tech, Inc. The matters set forth in this declaration are based upon my
6 personal knowledge, except where otherwise indicated, and if called as a witness, I could and would
7 testify competently thereto.

8 2. Attached hereto as Exhibit A is a true and correct copy of the 4/19/04 Printout that I
9 made from the Merriam-Webster OnLine Website (www.m-w.com) for definitions of the terms
10 "instrumentality," "instrumental," and "instrument."

11 I declare under penalty of perjury under the laws of the United States of America that the
12 foregoing is true and correct. This declaration was executed in Menlo Park, California on April 20,
13 2004.

14 /s/ Thomas C. Mavrakakis
15 Thomas C. Mavrakakis
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EXHIBIT A



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One entry found for **instrumentality**.

Thesaurus

Main Entry: **in·stru·men·tal·i·ty**

Pronunciation: "in(t)-str&-m&n-'ta-l&-tE, -"men-

Function: *noun*

Inflected Form(s): *plural -ties*

1 : the quality or state of being instrumental

2 : MEANS, AGENCY

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Thesaurus

Main Entry: **in·stru·men·tal**

Pronunciation: "in(t) -str&- 'men-t&l

Function: *adjective*

1 a : serving as a means, agent, or tool <was *instrumental* in organizing the strike> **b** : of, relating to, or done with an instrument or tool

2 : relating to, composed for, or performed on a musical instrument

3 : of, relating to, or being a grammatical case or form expressing means or agency

4 : of or relating to instrumentalism

5 : OPERANT 3 <*instrumental* learning> <*instrumental* conditioning>

- **instrumental** *noun*

- **in·stru·men·tal·ly** /-t&l -E/ *adverb*

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8 entries found for **instrument**.
To select an entry, click on it.

instrument[1,noun]
instrument[2,transitive verb]
brass instrument
instrument flying
instrument landing
instrument panel

Thesaurus

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Main Entry: **1in·stru·ment**

Pronunciation: 'in(t)-str&-m&nt

Function: *noun*

Etymology: Middle English, from Latin *instrumentum*, from *instruere* to arrange, instruct

1 : a device used to produce music

2 a : a means whereby something is achieved, performed, or furthered **b** : one used by another as a means or aid : **DUPE**, **TOOL**

3 : **IMPLEMENT**; *especially* : one designed for precision work

4 : a formal legal document (as a deed, bond, or agreement)

5 a : a measuring device for determining the present value of a quantity under observation **b** : an electrical or **mechanical** device used in navigating an airplane; *especially* : such a device used as the sole means of navigating

synonym see **IMPLEMENT**

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